



Order Filed on October 18, 2018
by Clerk U.S. Bankruptcy Court
District of New Jersey

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ATTORNEY FOR CALIBER HOME LOANS, INC.
AS SERVICER FOR U.S. BANK TRUST, N.A., AS
TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF NEW JERSEY
(TRENTON)

In Re:

Luz M. Norton

Debtor(s)

Chapter 13

Case Number: 16-28606-JKS

Hearing: September 13, 2018 at 11:00 am

Honorable Judge John K. Sherwood

Recommended Local Form:

☐ Followed

☒ Modified

CONSENT ORDER MOTION FOR RELIEF FROM THE AUTOMATIC STAY

The relief set forth on the following page is hereby **ORDERED**.

DATED: October 18, 2018

A handwritten signature in black ink, appearing to read "J K Sherwood".

Honorable John K. Sherwood
United States Bankruptcy Court

(page 2)

Debtor: Luz M. Norton

Case Number: 16-28606-JKS

Caption of Order: Order Resolving Resolving Motion for Relief from the Automatic Stay

Upon the Motion for Relief from the Automatic Stay filed by Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, by and through its counsel, Stern & Eisenberg, P.C., as to certain Real Property located at 31 Clinton Place, Unit 4, Morristown Town, New Jersey 07960 (hereinafter referred to as the "Property"), and the parties agreeing to the entry of the Order settling the Motion for Relief from the Automatic Stay, and for cause shown, it is hereby **ORDERED** and **DECREED** as follows:

1. Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust, as the holder of a first mortgage lien on Debtor's Property, filed a Motion for Relief from the Automatic Stay pursuant to Section 362 of the United States Code on June 4, 2018;

2. At the date of this Order, Luz M. Norton ("Debtor") acknowledges that Debtor is due for the following post-petition regular monthly payments from January 2018 as follows:

a. Monthly payments 01/2018 (\$1,247.90/mo):	\$1,247.90
b. Monthly payments 02/2018-09/2018 (\$1,524.10/mo):	\$12,192.80
c. Post-petition suspense balance:	(\$1,117.26)
d. Attorney Fees:	\$531.00
e. Total arrears as of date of Order:	\$12,854.44

3. Debtor shall secure a loan modification within 120 days of the date of this Order, or by further extension of court.

4. Effective October 1, 2018, Debtor shall make regular monthly mortgage payments in the amount of \$1,524.10 (or, in the event that the parties have entered into a trial loan modification on or prior to September 30, 2018, Debtor shall continue payments in accordance with the terms of the trial loan modification.).

5. If Debtor does not get the loan modification by the expiration date outlined above, Debtor shall file an Amended Plan within 30 days incorporating the pre-petition delinquency in the amount of \$55,676.01 plus the post-petition delinquency in the amount of \$12,854.44 for total of \$68,530.45 in delinquency to be paid through the plan. Thereafter, Debtor agrees to continue making the regular monthly mortgage payment (currently \$1,524.10/mo.). In the event the regular monthly payment changes for any reason, then the amount due pursuant to this paragraph 4 shall be adjusted accordingly.

6. The execution of this Stipulation/Consent Order, and the terms and conditions set forth in the preceding paragraphs shall serve an amendment and/or addendum to any Pre-Petition Proof of Claim filed by Creditor, if applicable. Movant shall not be required to file an Amended Proof

of Claim, if applicable.

7. Payments due in accordance with this Order shall be due on or before the 1st day of each month. Debtor shall make the regular monthly payments required to the Trustee.

8. All payments due to the Creditor from the Debtor are to be made directly to Caliber Home Loans, Inc., P.O. Box 24330, Oklahoma City, OK 73124 and making sure that Creditor's loan number appears on all payments.


9. In the event that Movant alleges that Debtor has failed to comply with obligations under paragraph 3 & 5 of this Consent Order/Stipulation, Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust and/or Counsel may give Debtor and Debtor's counsel notice of the default and if such default is not cured within ten (10) days of said notice, upon certification to the court of such default, and request for Order, with a copy to Debtor and Debtor's counsel, the Court may grant Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust immediate relief from the bankruptcy stay, per the form of attached Order which is made part hereof as Exhibit "A". Debtor shall pay \$75.00 for each notice of default issued by Movant as a result of the Debtor's failure to comply with this Consent Order/Stipulation.

10. The failure by the Creditor, at any time, to file a Certification of Default upon default by the Debtor shall not be construed, nor shall such failure act, as a waiver of any of Creditor's rights hereunder. In the event Debtor fails to comply with the terms of this Order for more than 30 days, Creditor Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust may submit a certification of default and proposed Order for Relief from the Automatic Stay to the court and serve a copy of such Certification of Default upon the Debtor and Debtor's counsel. Fourteen days after receipt of a Certification of Default, the court will enter an order granting Astoria Bank relief from the automatic stay unless the Debtor has filed an objection to the Certification of Default specifying reasons for the objection; in which case the court will set a hearing on the objection.

11. Upon issuance of the aforesaid Order, the parties hereto further agree that Caliber Home Loans, Inc. as servicer for U.S. Bank Trust, N.A., as Trustee for LSF9 Master Participation Trust may proceed in state court to exercise all rights and remedies available to it as a mortgagee and creditor under state and federal law including, but not limited to, the initiation of and continuation of foreclosure and execution process through sheriff's sale concerning the Property and ejectionment thereafter.

12. In the event Debtor converts to a bankruptcy under Chapter 7 of the Bankruptcy Code then Debtor shall pay all pre-petition arrears and post-petition arrears within 10 days from the date the case is converted. If Debtor fails to make payments in accordance with this paragraph then the Creditor, through Counsel, may file a certification setting forth said failure and the Creditor shall be granted immediate relief from the automatic stay and may also request entry of the form of Order attached as Exhibit "A".

/s/ Steven P. Kelly, Esquire
Steven P. Kelly, Esquire
Counsel for Creditor
Stern & Eisenberg, PC
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Certificate of Notice Page 5 of 5
 United States Bankruptcy Court
 District of New Jersey

In re:
 Luz M Norton
 Debtor

Case No. 16-28606-JKS
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2

User: admin
 Form ID: pdf903

Page 1 of 1
 Total Noticed: 1

Date Rcvd: Oct 19, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 21, 2018.

db +Luz M Norton, 31 Clinton Place, Unit 4, Morristown, NJ 07960-6805

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.
 USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Oct 21, 2018

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 19, 2018 at the address(es) listed below:

Andrew L. Spivack on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com
 Brian C. Nicholas on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST bnicholas@kmlawgroup.com, bkgroup@kmlawgroup.com
 Craig Scott Keiser on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST craig.keiser@phelanhallinan.com
 Kevin M. BATTERY on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST bkyefile@rasflaw.com
 Marie-Ann Greenberg magecf@magtrustee.com
 Michael Frederick Dingerdissen on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST nj.bkecf@fedphe.com
 Nicholas V. Rogers on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com
 Russell L. Low on behalf of Debtor Luz M Norton rbear611@aol.com, ecf@lowbankruptcy.com;r57808@notify.bestcase.com
 Sherri Jennifer Smith on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST, BY CALIBER HOME LOANS, INC., AS ITS ATTORNEY IN FACT nj.bkecf@fedphe.com, nj.bkecf@fedphe.com
 Sindi Mncina on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST smncina@rascrane.com
 Steven P. Kelly on behalf of Creditor U.S. BANK TRUST, N.A., AS TRUSTEE FOR LSF9 MASTER PARTICIPATION TRUST skelly@sterneisenberg.com, bkecf@sterneisenberg.com
 William M.E. Powers on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
 William M.E. Powers, III on behalf of Creditor Wells Fargo Bank, N.A. ecf@powerskirn.com
 TOTAL: 13